

Appln. No. 09/465,667

a) mixing at least one strain of said live bacteria with at least one fructose oligosaccharide to form a mixture,

b) pressing said mixture into a tablet employing a force sufficient to form said tablet while maintaining at least about 60% viability of said bacteria.

*B' cont'd*  
12. The method of claim 11 wherein said fructose oligosaccharide is present in an amount of about 40-99.5% by weight of said tablet.

13. The method of claim 11 wherein said fructose-containing saccharides are fructose oligosaccharides.

*B' cont'd*  
~~14. The method of claim 11 wherein said fructose oligosaccharide is inulin.~~

15. The method of claim 11 wherein said bacteria are lactic acid producing bacteria.

*sub 32*  
~~16. A method of producing a tablet including live bacteria comprising the steps:~~

*B' cont'd*  
~~a) mixing at least one strain of live lactic acid-producing bacteria with at least one fructose oligosaccharide to form a mixture; and~~

~~b) pressing said mixture into a tablet employing a force sufficient to form said tablet while maintaining at least about 60% viability of said lactic acid-producing bacteria.~~

*B' cont'd*  
17. The method of claim 16 wherein said fructose oligosaccharide is inulin.

18. The method of claim 16 further comprising adding at least one pharmaceutically acceptable additive to said bacteria and said fructose oligosaccharide prior to said pressing step.

Appln. No. 09/465,667

19. The method of claim 16 further comprising adding microcrystalline cellulose to said bacteria and said fructose oligosaccharide prior to said pressing step.

20. The method of claim 16 further comprising adding starch to said bacteria and said fructose oligosaccharide prior to said pressing step.

21. The method of claim 16 further comprising adding calcium diphosphate to said bacteria and said fructose oligosaccharide prior to said pressing step.

22. A method of producing a tablet including live bacteria comprising the steps:

a) mixing live bacteria *Str. thermophilus*, *L. bulgaricus*, *Bifidobacterium animalis*, or *L. plantaris* with inulin to produce a mixture; and

b) pressing said mixture into a tablet employing a force sufficient to form said tablet while maintaining at least about 60% viability of said bacteria.

23. The method of claim 22 further comprising adding at least one pharmaceutically acceptable additive to said live bacteria and said inulin.

24. The method of claim 22 further comprising adding calcium diphosphate to said live bacteria and said inulin.

25. The method of claim 22 further comprising adding microcrystalline cellulose to said live bacteria and said inulin.

26. The method of claim 22 further comprising adding starch to said live bacteria and said inulin.

27. A method of producing a tablet including live bacteria comprising the steps;

a) mixing at least one live bacteria selected from the group consisting of *Str. thermophilus*, *L. bulgaricus*, *Bifidobacterium animalis* and *L. plantaris* with inulin, and at

Appln. No. 09/465,667

Sub  
C7  
Cont'd

least one additive selected from the group consisting of microcrystalline cellulose, calcium diphosphate and starch; and

b) pressing said mixture into a tablet employing a force sufficient to form said tablet and maintain at least about 60% viability of said *Str. thermophilus*, *L. bulgaricus*, *Bifidobacterium animalmis*, *L. plantaris* bacterium.

28. A method of producing a tablet including live bacteria comprising the steps;

a) mixing at least one live bacteria selected from the group consisting of *Str. thermophilus*, *L. bulgaricus*, *Bifidobacterium animalmis* and *L. plantaris* wherein the total amount bacteria provided is between 0.5-50% by weight with 40-99.5% by weight of inulin, 0-20% by weight microcrystalline cellulose, 0-20% by weight of calcium diphosphate and 0-15% by weight of starch; and

Provided,  
b) pressing said mixture into a tablet employing a force sufficient to form said tablet and maintain at least about 60% viability of said *Str. thermophilus*, *L. bulgaricus*, *Bifidobacterium animalmis*, *L. plantaris* bacterium.

#### REMARKS

Entry of the foregoing and reexamination and reconsideration of the above-captioned application, as amended, pursuant to and consistent with 37 C.F.R. § 1.112 are respectfully requested. The undersigned wishes to thank Examiner Afremova for the courtesies extended by her during a telephone interview on February 2, 2001. During the interview, the Examiner indicated that she could not enter the Preliminary Amendment dated March 22, 2000 since it purported to amend claims which were not formally in the case. The Examiner was correct that claims entered in the parent had not been brought forward. Accordingly, applicants are resubmitting a Preliminary Amendment including claims 11-28.